

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

UNITED STATES OF AMERICA §  
§ No. 4:14CR173  
v. § Judge Mazzant  
§  
JUAN JOSE RODRIGUEZ JR. (5) §

**ELEMENTS OF THE OFFENSE**

You are charged in Count One of the Information with a violation of 21 U.S.C. § 846, Conspiracy to Possess with the Intent to Distribute Cocaine. The essential elements which must be proven to establish the offense are as follows:

- First: That the defendant and one or more persons, directly or indirectly, reached an agreement to commit the crime charged in the Information, that is, to distribute or possess with intent to distribute a mixture or substance containing a detectable amount of cocaine;
- Second: That the defendant knew of the unlawful purpose of the agreement;
- Third: That the defendant joined in the agreement willfully, that is, with the intent to further its unlawful purpose;
- Fourth: That the overall scope of the conspiracy involved 500 grams or more of a mixture or substance containing a detectable amount of cocaine;  
and

Fifth: That the defendant knew or reasonably should have known that the scope of the conspiracy involved 500 grams or more of a mixture of substance containing a detectable amount of cocaine.

Respectfully submitted,

BRIT FEATHERSTON  
Acting United States Attorney

/s/  
JAY R. COMBS  
Assistant United States Attorney

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was filed via electronic filing to defense counsel on the 11<sup>th</sup> day of October, 2016.

/s/  
JAY R. COMBS